

**RESOLUTION NO. 74320**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE MAKING CERTAIN DETERMINATIONS REQUIRED BY REDEVELOPMENT LAW, HEALTH AND SAFETY CODE SECTION 33445, FOR AGENCY FUNDING OF PUBLIC IMPROVEMENTS AT ST. JAMES PARK**

**WHEREAS**, in 2003, the Council of the City of San Jose (“City”) and the Redevelopment Agency Board approved the St. James Master Plan Update 2002, which provides for the upgrade of the quality of St. James Park (“Park”) to reflect its role as one of the most important public open spaces in San José, and the improvement of the infrastructure of the Park to support musical and theatrical events and festivals; and

**WHEREAS**, the proposed improvements at the Park include restoration of the historical, symmetrical layout of the Park, the use of brick paving, installation of an underground electrical infrastructure for festivals and events, an upgrade of the lighting and the replacement of sick and aging trees (“Project”); and

**WHEREAS**, Section 33445 of the California Health and Safety Code authorizes a redevelopment agency, with the consent of the legislative body, to pay for the costs of certain public improvements if the legislative body determines that: 1) the public improvements benefit the project area; 2) no other reasonable means of financing the improvements are available to the community, and 3) payment for the improvements will assist in the elimination of blight in the project area and is consistent with the implementation plan; and

**WHEREAS**, the Project benefits the Pueblo Uno, Century Center and Civic Plaza Redevelopment Areas (“Project Areas”) because it improves the security, attractiveness and usefulness of the Park, and by providing infrastructure for festivals and concerts which will draw visitors to the Project Areas; and

**WHEREAS**, sufficient funds to pay for the Project are not included in the City's Capital Budget, and no other reasonable means of financing the Project is available, and no other source, public or private, has been identified to provide funds to accomplish this Project; and

**WHEREAS**, the Project will assist in the elimination of blight in the Pueblo Uno, Century Center and Civic Plaza Redevelopment Project Areas by increasing visitors, which will stimulate economic investments in the Project Areas; and

**WHEREAS**, the Project is consistent with the Redevelopment Agency's Five Year Implementation Plan 2005-2009, which identifies the provision of new or enhanced cultural, convention, recreational and entertainment facilities as one of its goals;

**NOW, THEREFORE**, BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF SAN JOSE:

A. Determines that Agency funding of the Project:

- (1) benefits the Pueblo Uno, Century Center and Civic Plaza Redevelopment Project Areas;
- (2) cannot be reasonably financed by other means;
- (3) assists in the elimination of blight;
- (4) is consistent with the adopted Five Year Implementation Plan 2005-2009, which identifies the provision of new or enhanced cultural, convention, recreational and entertainment facilities as one of its goals.

//

//

B. Consents to the Agency's funding of the Project.

ADOPTED this 8TH day of APRIL, 2008, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, CORTESE,  
LICCARDO, NGUYEN, OLIVERIO, PYLE, WILLIAMS;  
REED.  
NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.

---

CHUCK REED  
Mayor

ATTEST:

---

LEE PRICE, MMC  
City Clerk